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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/060,759	07/30/2002	Adam Lerner	701586/50174-DIV

26248  
NIXON PEABODY LLP  
101 FEDERAL ST  
BOSTON, MA 02110



CONFIRMATION NO. 8480  
FORMALITIES LETTER



\*OC00000008392533\*

Date Mailed: 07/03/2002

**NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS  
CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE  
DISCLOSURES**

Applicant is given **TWO MONTHS FROM THE DATE OF THIS NOTICE** within which to file the items indicated below to avoid abandonment. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

- The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d). Applicant must provide a substitute computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at [patin21help@uspto.gov](mailto:patin21help@uspto.gov) or [patin3help@uspto.gov](mailto:patin3help@uspto.gov)

*A copy of this notice **MUST** be returned with the reply.*

  
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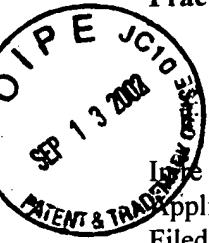
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

Practitioner's Docket No. 701586/50174-DIV

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



Issue application of: Adam Lerner  
Application No.: 10/060,759  
Filed: 1/30/2002

Group No.: 1614  
Examiner: Unknown

For: COMPOSITIONS AND METHODS FOR THE TREATMENT OF CHRONIC LYMPHOCYTIC LEUKEMIA

**Box Sequence**

Assistant Commissioner for Patents  
Washington, D.C. 20231

**SUBMISSION OF "SEQUENCE LISTING," COMPUTER READABLE COPY,  
AND AMENDMENT PERTAINING THERETO  
FOR BIOTECHNOLOGY INVENTION CONTAINING NUCLEOTIDE  
AND/OR AMINO ACID SEQUENCE**

09/17/2002 MBIZUNES 00000123 10060759

01 FC:215 55.00 OP

1. This replies to the Communication from the Examiner dated July 3, 2002.

**IDENTIFICATION OF PERSON MAKING STATEMENT**

**CERTIFICATION UNDER 37 C.F.R. 1.8(a) and 1.10\***

I hereby certify that, on the date shown below, this correspondence is being:

**MAILING**

deposited with the United States Postal Service in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

**37 C.F.R. 1.8(a)**

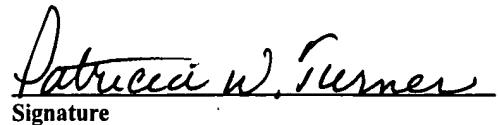
**37 C.F.R. 1.10\***

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as "Express Mail Post Office to Address"  
Mailing Label No. \_\_\_\_\_ (mandatory)

**TRANSMISSION**

transmitted by facsimile to the Patent and Trademark Office.

  
Signature

Date: 9/11/2002

Patricia W. Turner  
(type or print name of person certifying)

2. I, Ronald I. Eisenstein, state the following:

**ITEMS BEING SUBMITTED**

3. Submitted herewith is/are:

A copy of each "Sequence Listing" submitted for this application in computer readable form, in accordance with the requirements of 37 C.F.R. §§ 1.821(e) and 1.824.

A statement that the content of each "Sequence Listing" submitted and each computer readable copy are the same, as required in 37 C.F.R. § 1.821(g).

Because this submission is made in fulfilling the requirement under 37 C.F.R. § 1.821(g), a statement that the submission includes no new matter.

**STATEMENT THAT "SEQUENCE LISTING"  
AND COMPUTER READABLE COPY ARE THE SAME  
AND/OR THAT PAPERS SUBMITTED INCLUDES NO NEW MATTER**

4. I hereby state:

All papers accompanying this submission, or for which a request for transfer from applicants' other application, introduce no new matter.

The "Sequence Listing" and computer readable copy are the same.

**STATUS**

5. Applicant is a small entity.

**EXTENSION OF TERM**

6. The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply.

*(complete (a) or (b), as applicable)*

(a)  [X] Applicant petitions for an extension of time under 37 C.F.R. 1.136  
(fees: 37 C.F.R. 1.17(a)(1)-(4)) for the total number of months checked below:

	Extension <u>(months)</u>	Fee for other than <u>small entity</u>	Fee for <u>small entity</u>
[ X ]	one month	\$ 110.00	\$ 55.00
[ ]	two months	\$ 400.00	\$200.00
[ ]	three months	\$ 920.00	\$460.00
[ ]	four months	\$1440.00	\$720.00

Fee: \$ 55.00

If an additional extension of time is required, please consider this a petition therefor.

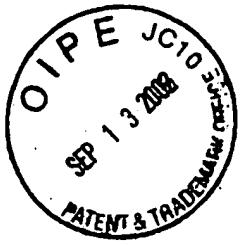


SIGNATURE OF PRACTITIONER

Ronald I. Eisenstein  
NIXON PEABODY LLP  
101 Federal Street  
Boston, MA 02110

Reg. No. 30,628  
Tel. No.: (617) 345-6054  
Customer No. 26248

(Submission-Nucleotide and/or Amno Acid Sequence,page 3 of 3)



PTO/SB92 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031  
U. S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

03/09  
130X Seq.

## Certificate of Mailing under 37 CFR 1.8

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on Sept. 11, 2002

Date

Patricia W. Turner

Signature

Patricia W. Turner

Typed or printed name of person of signing Certificate

Note: Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.

Transmittal Form (PTO/SB/21) (1 pg)

Amendment under CFR 1.825 (1 pg)

Submission of "Sequence Listing," Computer Readable Copy and Amendment Pertaining Thereto (3 pp)

Paper Copy of Sequence Listing (2 pp)

Computer Disc containing sequence listing

Copy of Notice to Comply with Requirements for Patent Applications mailed 7/3/2002 (2 pp)

Check for \$55.00

Return Receipt Postcard

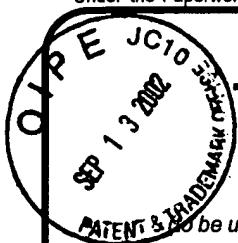
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U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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# TRANSMITTAL FORM

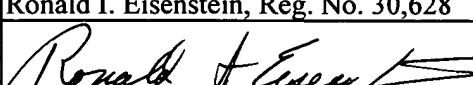
(*Patent & Trademark Office* to be used for all correspondence after initial filing)

		Application Number	10/060,759
		Filing Date	January 30, 2002
		First Named Inventor	A. Lerner
		Group Art Unit	1614
		Examiner Name	Unassigned
Total Number of Pages in This Submission		Attorney Docket Number	701586/50174-DIV

## ENCLOSURES (check all that apply)

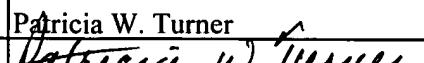
<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/ Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____  <input type="checkbox"/> Remarks	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Submission of "Sequence Listing" (3pp); Amendment under CFR 1.825 (1pg); paper copy of sequence listing (2pp); disc with sequence listing; copy of Notice to Comply mailed 7/3/02 (2pp); check for \$55.00
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## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Ronald I. Eisenstein, Reg. No. 30,628
Signature	
Date	9/10/02

## CERTIFICATE OF MAILING

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Typed or printed name	Patricia W. Turner		
Signature		Date	9/11/02

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# FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

Applicant claims small entity status. See 37 CFR 1.27

**TOTAL AMOUNT OF PAYMENT** **(\$)** 55.00

**Complete if Known**

Application Number	10/060,759
Filing Date	January 30, 2002
First Named Inventor	A. Lerner
Examiner Name	Unknown
Group Art Unit	1614
Attorney Docket No.	701586/50174-DIV

**METHOD OF PAYMENT (check all that apply)**

Check  Credit card  Money Order  Other  None

Deposit Account:  Charge any deficiencies

Deposit Account Number  
50-0850  
Deposit Account Name  
Nixon Peabody LLP

The Commissioner is authorized to: (check all that apply)

Charge fee(s) indicated below  Credit any overpayments  
 Charge any additional fee(s) during the pendency of this application  
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code (\$)	Fee Code (\$)		
101 740	201 370	Utility filing fee	
106 330	206 165	Design filing fee	
107 510	207 255	Plant filing fee	
108 740	208 370	Reissue filing fee	
114 160	214 80	Provisional filing fee	

**SUBTOTAL (1) (\$)****2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

Extra Claims	Fee from below	Fee Paid
Total Claims	-20** =	<input type="text"/> X <input type="text"/> = <input type="text"/>
Independent Claims	-3** =	<input type="text"/> X <input type="text"/> = <input type="text"/>
Multiple Dependent		<input type="text"/> = <input type="text"/>

Large Entity	Small Entity	Fee Description
Fee Code (\$)	Fee Code (\$)	
103 18	203 9	Claims in excess of 20
102 84	202 42	Independent claims in excess of 3
104 280	204 140	Multiple dependent claim, if not paid
109 84	209 42	** Reissue independent claims over original patent
110 18	210 9	** Reissue claims in excess of 20 and over original patent

**SUBTOTAL (2) (\$)**

\*\*or number previously paid, if greater; For Reissues, see above

**3. ADDITIONAL FEES**

Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
105 130	205 65	Surcharge - late filing fee or oath	
127 50	227 25	Surcharge - late provisional filing fee or cover sheet	
139 130	139 130	Non-English specification	
147 2,520	147 2,520	For filing a request for ex parte reexamination	
112 920*	112 920*	Requesting publication of SIR prior to Examiner action	
113 1,840*	113 1,840*	Requesting publication of SIR after Examiner action	
115 110	215 55	Extension for reply within first month	55
116 400	216 200	Extension for reply within second month	
117 920	217 460	Extension for reply within third month	
118 1,440	218 720	Extension for reply within fourth month	
128 1,960	228 980	Extension for reply within fifth month	
119 320	219 160	Notice of Appeal	
120 320	220 160	Filing a brief in support of an appeal	
121 280	221 140	Request for oral hearing	
138 1,510	138 1,510	Petition to institute a public use proceeding	
140 110	240 55	Petition to revive - unavoidable	
141 1,280	241 640	Petition to revive - unintentional	
142 1,280	242 640	Utility issue fee (or reissue)	
143 460	243 230	Design issue fee	
144 620	244 310	Plant issue fee	
122 130	122 130	Petitions to the Commissioner	
123 50	123 50	Processing fee under 37 CFR 1.17(q)	
126 180	126 180	Submission of Information Disclosure Stmt	
581 40	581 40	Recording each patent assignment per property (times number of properties)	
146 740	246 370	Filing a submission after final rejection (37 CFR § 1.129(a))	
149 740	249 370	For each additional invention to be examined (37 CFR § 1.129(b))	
179 740	279 370	Request for Continued Examination (RCE)	
169 900	169 900	Request for expedited examination of a design application	
Other fee (specify) _____			

\*Reduced by Basic Filing Fee Paid

**SUBTOTAL (3) (\$)**

55.00

**SUBMITTED BY**

Complete (if applicable)

Name (Print/Type)	Ronald I. Eisenstein	Registration No. (Attorney/Agent)	30,628	Telephone	617.345.6054
Signature				Date	9/10/02

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